
BOARD OF SELECTMEN

MEETING MINUTES

3/17/09

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Thomas Alonzo, Paula Bertram, Steven M. deBettencourt, Dave Matthews and CAFO Kerry Speidel present, Thomas Mason absent. Meeting opened at 7:02 P.M. with the Pledge of Allegiance

PUBLIC DISCUSSION

ANNOUNCEMENTS

Chair read an announcement from the Fire Chief:

"As the clean-up from this winter's ice storm continues, we are seeing a large increase in the number of people applying for permits to burn brush. As the snow melts and the ground dries, we ask that in addition to following all the rules and regulations for open burning that you use extra caution due to the amount of storm debris on the ground. Should your burn pile begin to get away from you, please call the fire department right away.

Should you go walking, hiking or camping please use extreme caution with smoking materials or camp/cooking fires. Persons with ATVs, dirt bikes or other off-road vehicles are asked to make sure they are running properly so they do not become a source of ignition. With the amount of debris in the woods, the fire load has increased tremendously; fires will have more fuel to burn and we will face challenges in accessibility to more remote areas. The situation that the storm has created has increased the potential for large brush or forest fires. We are asking for your help to minimize that potential. In addition, we suggest that you survey your yard for potential falling limbs or leaning trees as they can create a hazard during our unpredictable spring and summer storms. Seek the help of trained professionals to assist with tree work so that you will prevent injury to yourself or your property. We thank you in advance for your anticipated cooperation in making this post-storm brush season safe for all citizens of Lunenburg."

Noted burning season extends through May 1st, permit applications are available at the Fire Department.

APPOINTMENTS

1. 7:15 – 7:30 PM – Interviews, Utilities Task Force, Green Community Task Force

- Chris Johnson – not in attendance.
- Ruth Ste.Marie – of 295 Electric Ave., as she was without electricity for over 14 days as a result of the ice storm, experienced hell. Have previously been displaced due to another power outage and voiced concern as to how high the bills have been. Time for Lunenburg to investigate our options and what we can do for our town and was very interested in the Lexington proposal to have a municipal electric company. Former teacher and currently employed as a paralegal, could offer services more in an administrative capacity to organize information that may need to be presented, have done work on researching documents.
- Dave Blatt – of 438 Lancaster Ave., expressed his interest in serving on the Green degree in electrical eng., worked on solar hot water, radiant heating, passive solar heating, introducing green into the schools, paper retriever into the schools. Green is not just energy but a whole mindset of the earth is not here forever, need to do whatever we can to save a dime, earn a dime at the same time.

Also present Steven DiCampo of 68 Cove Road, interested in serving on the Green Community Task Force – mechanical engineer, working in architectural field since 2002, experience in energy audits, using state software, familiar with building codes. He has done research on passive solar energy for homes. Interest is in energy efficiency, insulation and new materials used for older buildings, what can be retrofitted. Use of passive solar and whether this would be a fit for any of the public buildings. Vision for committee is that we would look at existing buildings, to bring them up to modern day energy efficiency and bring them beyond what is minimum today. Efficient as to how they use energy, or a better use of it and which buildings are the most likely candidates.

2. 7:30 P.M. – Eagle Heights Senior Housing Public Hearing (former Primary School) – CAFO informed the public that several months ago we solicited Requests for Proposals for the former Primary School Building. Last brought before the board on March 2nd at which time the board determined to hold a public hearing. We also advertised in the local paper and referred to information that the board has received relative to the project. Not taxed like residential, it's taxed as a commercial property and Assessor has provided and estimate as to what we could anticipate from this development. Provided information with regards to PILOT agreements that was furnished by the Assessor, and corresponding annual tax bill for the Old Primary School, should it be converted in to 40 Low-Income Senior Housing Rental Units- Since this would be a commercial enterprise, the AV is based upon the Income Method Approach, one of 3 methods used for CIP valuation. This information is an estimate only, based upon projected income and expenses for the property. Jon Juhl of JJuhl Assoc., LLC, has been in affordable housing arena since the 1980's. Started with the City of Lowell as the Housing Re-Hab Director. Has worked on a number of affordable projects for seniors over the years, which brought a support of service together with HUD. Conversion of older schools is very popular in senior housing proposals and has had a role in a number of this type of housing.

Ed Nunes reviewed the plans and spoke of how the school is converted to senior housing. In 1984 developed their first 202 project which was originally a seminary; this is a similar type of building that they are proposing. Proposal is to add 40 units within this building which would include a two-story addition to the school, preserving the front façade. HUD only allows for units of 540 square feet, one bedroom units.

Per Jon will work with social service agencies, the senior center to share programs and link to the Council on Aging to ensure that the elders remain active so long as they live there. HUD provides for funding for a social service director, requirements are that residents are age 62 years of age or older, and income eligible. There is a Project Rental Agreement Contract (PRAC) that must be in place a maximum of 40 years. HUD also provides a capital grant for the funding of the addition and would meet all building codes and beyond, would be energy efficient and comfortable for the residents. Over the last ten years Lunenburg senior population has grown over 20% and will continue to increase. The old primary school is a great location as it is centrally located. Noted the historic character it would bring to the town. HUD has two components; 6 million towards the construction and the remainder of 2 million would be funded through the State. Over the years, HUD would be providing an additional 17 million towards the service component, it would be a non-profit entity that will be transferred to a management company that has history of managing senior housing. The board of directors would be comprised of residents of the Town of Lunenburg and they would be responsible for and own the property.

Doreen Noble, Council on Aging Director acknowledged predecessor Jeanne DeBruin and expressed his appreciation for bringing this to the forefront for the community. Questioned stability of HUD funding for 202 projects, and per Jon, for 2010 the program has been increased in funding by 4% and believes that over the next few years will at least be level funded. For this round, the funding is in place, this is a nationally based program and the needs of that population are increasing. Noted Fire Chief's concern for emergency access in terms of a second means of egress out. If this is approved by the Board of Selectmen and the Town, we'll be engaging the Chief in our future discussions. Doreen noted the proximity of the addition to the abutters property line. Questioned if the project is looking for funds for the social services coordinator and per Jon HUD does provide some funding for the position and working with the Montachusett Home Care Corporation anticipate working with the senior center to meet the needs of the elders. Questioned what can you do to improve our infrastructure and to aid the seniors and the Council on Aging. Per Jon HUD also provides MHC services and using space within the building so that seniors from within the building could take advantage of the services themselves. Will have conversations with the Council on Aging to determine the services that will be provided.

Peter Lincoln, Chair of the Council on Aging pointed out that the council's sole purpose is to advocate for the elderly. Location is ideal, central to town offices, the post office, the library and extremely ample parking. Eagle Heights will allow its residents the comfort of remaining within the Town of Lunenburg. Noted formula grant that is calculated based upon senior population in town, currently around 1500. Estimated figure that was provided for the 2010 census was at 2350. Hope of the Council on Aging is that the Board of Selectmen considers the seniors that inhabit all of us and all of you.

Jean Hobbs, seniors have done a lot for Lunenburg as Lunenburg has done a lot for us. As seniors we have done a lot to ensure that other seniors can get benefits. At this time all that is in town here is Pearl Brook and the residents can't get out onto the main road, it's a terrible place for them to be. Reiterated what Mr. Lincoln said that being located here is very ideal that we do get something more here for our seniors, this is the best project for Lunenburg.

Edith Gay born and brought up here, building that we're discussing is her old High School, noted the prime location and van service that is available and would request the board follow through with the project.

Dave commented that it became apparent that we need to address the vacant buildings, there is a need and would very much like to see the project move forward, in favor if we can make the dollars work.

Paula concurred with Dave's comments and recognize the needs, the reality is there will be some costs associated with the proposal. The concept and proposal is good but we do have to meet with the proponent to discuss the financial information on the other projects that the proponent has been involved with.

Steve noted the other costs that the town will be responsible for, the additional costs for just the public safety and what the effect is going to be and what can be expected in costs, and emergency runs. If a project like this is going to force us to have EMT's on every shift, what is that going to cost. Questioned why aren't any of our people in the White Street facility, most of the residents down there aren't Lunenburg residents. Need to tread cautiously on this and look at how these numbers are going to affect this town, in ten years he noted he's going to be 62 and does not intend to leave his house until he absolutely has to.

Chair, expressed appreciation for all those who attended and showed their support. Noted that this is not just a housing project but a community project, the activities and camaraderie is very important. Pearl Brook doesn't have the services, it's a place to live, in the center of town, everything is here. Aspects on the financial side that need to be addressed and not one of them is a deal breaker or unachievable. Three points need to address, the number of years commitment, willing to do a two year with an option of a three year, think we're in a good position and the site is a focal area, number two is the purchase price and as close as this is possible is we want this to be tax neutral, don't want the town to lose because of the impact to services. This project gives us the opportunity to build into the budget and get to as close a project as cost neutral as is possible.

Betty Munyon one of the last to graduate from the old building in 1953 and believes that it's going to get harder and harder to get something into this building and seems like we should give this a chance.

Dave would like to have further discussions on the purchase price, taxes etc.

Jon noted that they have to have firm site control, so it would be very important to finalize any agreement before moving forward with the grant opportunity.

CAFO, noted that we would have verify whether town meeting has ever voted to transfer the property to the Board of Selectmen so that we can enter into the agreement. Chair would like to check with Town Counsel and verify if we have to place before town meeting. Board would like to move forward with discussions of the various departments that would be impacted. Marion noted that there may also be an issue with the zoning and is willing to work quickly with the CAFO to determine if an article needs to be placed on the warrant to address this issue. Board scheduled a workshop for 3/24 @ 5:30 PM may have to start Board of Selectmen meeting for 7:30 that evening. Recess taken @ 8:40 PM, reconvened @ 8:50 PM.

CURRENT BUSINESS

1. CAFO Updates

- Update from Marion Benson on Green Energy options and will be placing an article before town meeting to address some of the issues regarding wind energy. This is what the task force should be looking into and coming up with a recommendation to the town. Will be bringing this up with the Planning Board on Monday, but will put an article on the warrant, as the developers are opposed to "special permits". Per the CAFO, this is an application that we need to file with the state in order to put us in line with other projects.

CAFO provided the following updates.

- Meadow Woods: As of March 13, 2009, every mobile home in the park has been connected to both water and sewer. The pump station is not online, but the system is up by using bypass pumping at the Contractor's expense. The design for the pump station has been approved and everything has been ordered, but not all has been delivered. The Substantial Completion date for the project has been moved back 2 weeks, from April 18, 2009 to May 1, 2009 due to the December ice storm. No Change Orders resulting in an increase in project cost have been approved to date and none is expected. The roads within the park are in very rough condition at this time due to the rise in temperature. The Contractor has been putting gravel down on a regular basis to keep them passable, but they are still in rough shape. The entire road system within the park, including 2 means of egress on to Route 2A will be paved to Mass Highway Standards this spring. Individual driveways will be brought back to original condition.

Chair noted that the Meadow Woods project is at point that the town needs to be planning the tenant organization agreement that needs to be in place. Steve questioned the billing and specifically how the sewer billing is to occur; Sewer Commission is in a dilemma as to whether the bills are to go to the individual tenants or the receiver. Also questioned the status of the connection fees and when this will be turned over to the Sewer Department, CAFO to check with Sewer Department Manager to verify whether a bill has been submitted.

- MRPC Grant: We are in the process of preparing a grant application requesting funds from MRPC for a Special Needs Population Sheltering Strategy Plan. The application is due March 24, 2009. The funds are a pass through from the Department of Homeland Security. The grant is for a study to determine the feasibility of developing a _Regional Special Needs Population Shelter. The cities of Leominster and Fitchburg, along with other towns within the MRPC area are co-sponsors of this grant application
- Resident Affidavit for DPU Hearing- At your request, Town Counsel has prepared the attached Affidavit to be filled out by residents who are interested in providing documentation for the DPU Hearing.

Affidavit, board unanimously concurred, however concerned with the short turn around, document to be placed on the Web site, town home page and will forward to Cathy Clark, who has been very involved with the resident's group

- Snow & Ice Deficit: Expenses incurred to date total \$330,000. As such, I have revised my year-end expense from \$423,305 (producing a deficit of \$263,305) to \$360,000 (producing a deficit of \$200,000).
- Ice Storm/ FEMA Reimbursement Update: As you are aware, FEMA declared the December 11, 2008 ice storm a federal disaster. They subsequently declared the incident period to be December 11-18, 2008. We have requested they extend that to the full duration that our own State of Emergency was in effect, which was until December 24, 2008. FEMA is taking that under advisement. The impact to extending the time period is generally with how we file our paperwork, and how they will review it, specifically related to procurement. To date, we have expended a total of , \$329,674.54. This amount is believed to be inclusive of all costs. We have completed our survey of the remaining work and provide the following estimates using FEMA & Army Corps of Engineers guidelines and formulas-

- For hangers, leaners & tree removal: \$276,579 (25% share= \$69,144)
- For debris curbside (private residences) \$112,000 (25% share= \$28,000)

Please keep in mind that these are only estimates based upon the amount of the work surveyed. These projects must be bid in accordance with state and federal procurement guidelines. The DPW Director has been in contact with Unitil's Tree Manager regarding hangers around electric wires and has been told that Unitil will take care of them during the Spring & Summer. Depending upon what they consider to be "around their wires" could have a significant impact on the amount of work remaining for the Town.

Ask that the Board provide some direction as to whether you would like to plan on offering a curbside (storm related) debris program later this Spring given that the cost to the Town is estimated at \$28,000, but may be more. This cost estimate is based upon the Army Corps of Engineers debris estimate of 5,600 cubic yards.

CAFO believes that costs incurred from the ice storm are an appropriate use of the towns' stabilization fund.

Dave questioned if we can get a definition from Unital as to what "around their wires" specifically means. Curbside clean-up should be limited and a definite schedule with a deadline, once we go down a road, we're done with it. Anyone that can take care of the debris themselves are strongly urged to clean up, however homeowners maintain their homes should be consistent. Bidding requires a 4 to 6 week timeframe. Chair proposed asking the residents as a service to donate say \$50 to help defray as a voluntary program. Board concurred to proceed with the clean up process for curbside collections.

- **FY20Q9 Budget:** On February 10, 2009, I provided you with a projected estimated deficit for FY end of \$450,746. Based upon revised estimates for the Snow & Ice Deficit and Ice Storm costs, I now believe that estimated deficit will be \$476,441. I have attached an updated spreadsheet with details on actions to be taken to close that deficit. We are still awaiting information on how the Federal Stimulus Plan will impact us.

CAFO noted information from the School Superintendent regarding the stimulus package and how it would affect funding for educational purposes, because things are coming down so quickly, it does seem that a good amount of funds will be coming to our school from the stimulus plan, didn't want to proceed any further with the potential FY'09 deficits as this information is changing daily.

Line item budget for 2010, is based upon the appropriations that we make at Town Meeting. Have held off on the specific line item budget and noted that a week from this Friday, will have available for the Finance Committee and the Board of Selectmen.

2. Minutes – no action.

Warrants - #18VD 09, 3/5/09 - \$(1,133.67), #18RI 09, 3/5/09 - \$1,265.11, #19P 09, 3/19/09 - \$623,701.95, #49 09, 3/17/09 - \$100,644.50 and 3rd Qtr. Water Commitment, 3/17/09 - \$496.22 reviewed and signed.

3. Action File Issues –

- Dave would like to discuss stipends and what the board intends on doing. CAFO discussed the attached memo with information on stipends and benefits for elected officials. Must elected officials salaries be voted separately, and yes they do which we currently do through the line item budget appropriations. Secondly, must town extend health insurance benefits to elected officials that receive a stipend and the answer is no, the practice has been here however, that we provide coverage for any compensated elected official. For any official that works more than twenty hours a week would not be affected by this, the only two boards that would be affected would be this board and the Board of Assessor's. Would only require a vote of the Board of Selectmen to change past practice. Dave would like to see some action with regards to the towns' past practice particularly with the financial situation that the town is facing. To be placed on agenda the first week in April, Assessor's are to be notified as well.

4. COPS Grant (HOLD – 3/24/09) – no action

5. SAFER Grant (HOLD – 3/24/09) - no action

6. Budgets / Teen Center FY'2010 Budget Request – Lois Block and Michelle Belize were present from the Teen Center. CAFO referred to the lease agreement with the Teen Center which states that the Town would be responsible for cleaning maintenance and trash removal that are part of the lease agreement. Lease states that the tenant should pay for utilities, this could be amended should the board grant the request to fund utilities.

Dave expressed his appreciation to the Teen Center and all those who have been involved since the beginning. Concern is where do we get the money from, to make this happen. How do we underwrite this to the town; especially where as families are paying student activities fees to the school, wants to do the right thing, but for everybody.

Michelle Belize (Teen Center Director) informed the board that the students do pay a membership fee, \$20.00 for a calendar year, which is consistent with other Boys and Girls Club fee structure.

Chairs concern is that where we're looking at cuts on departments such as the Council on Aging, all the strain that goes on the budget is from one direction. Still facing another 500K cuts at the state level, whatever the vote, should the stimulus money change our budget in such a way, would be happy to revisit as we're constrained in a very bad way and are not able to do what we want to do as a town.

Paula noted that there are costs identified on the request that are related to the heat, electricity and water and these are town buildings that we have to maintain; knows that maintenance of buildings as they deteriorate also cost the town farther down the road, there is a cost associated with owning this building.

Steve noted that at some point they would be in front of us as this always happens, support the teen center, hope that we can get some funding accomplished.

Michelle noted that they are working very hard to cut some costs, reduce hours, not having summer program and other options as well.

Paula would like to review all of the line items and try to determine if there is some place to get this money funded from.

Steve would make a motion to have in the draft budget, per the CAFO there is a line item and looking for some support from this board if it should remain in the towns' budget.

Chair since it's a draft budget, we could have it either way; Dave would recommend we leave it in the budget and urged the Teen Center to look again at their budget, Paula seconded, voted unanimously to leave in the budget.

Paula would like to see a spreadsheet that details the programs and the number of youth served.

7. Road Block Request / Lunenburg Family Lions Club – April 25, 2009, 8:00 AM – 2:00 PM

Paula recused herself as a member of the Turkey Hill Family Lions Club. The Turkey Hill Family Lions Club is seeking permission from the Board to hold their spring roadblock on Saturday, April 25, 2009 from 8:00 A.M. to 2:00 P.M. The locations will be the same as last fall; the intersection at the center of Town, Massachusetts Avenue and Leominster Road and Whalom Road and Electric Avenue, Police Chief has been notified. Dave motion to approve the roadblock, Steve seconded, voted Dave, Steve and Tom aye.

8. MRPC Daily Traffic Count Request – CAFO reviewed the list of traffic intersections in Town that they will be conducting traffic counts, forwarded to departments in town, and have provided their responses for additional count requests. Useful for traffic lights, grant applications, and volume control. Paula motion to submit the necessary paperwork regarding the additional five locations for traffic studies; Whalom Road SE of Electric Avenue, Summer Street at the Fitchburg line, Summer Street at the Leominster line, East & West sides of Prospect Street @ Leominster Road, Summer Street, from Fitchburg line to Leominster line, approved unanimously.

OLD BUSINESS

1. Committee Updates

➤ Finance Committee met with Monty Tech School Superintendent, James Culkeen last week. Overall, their budget has been level funded. \$72,000 additional has been proposed over last year.

2. Common Victualler License Application, Lunenburg Exxon, 453 Mass. Ave. – CAFO reported that the main requirement that must be satisfied before the Board of Selectmen issues a common victualler license is that they have a valid food service permit. The legal business name of the establishment is Lunenburg Exxon.

COMMITTEE APPOINTMENTS / REAPPOINTMENTS / RESIGNATIONS

1. Utility Task Force – Discussed composition, Dave would recommend five for this task force; Paula motion to make the Utility Task Force, five members, board unanimously approved. Paula motion to appoint Carl Klempner, Steve seconded, voted unanimously. Steve motion to appoint Bill Gustus, Dave seconded, voted unanimously. Dave motion to appoint Robert Bowen, Paula seconded, voted unanimously. Tom motion to appoint R.J. Thibault, Paula seconded, voted unanimously.

Chair, noted to other applicants to please become involved and perhaps we should adopt a format of a non-voting member as an alternate position, voted unanimously. Paula motion to appoint Carolyn McCarthy and Ruth Ste. Marie as an alternate, Dave seconded, voted unanimously.

2. Green Community Task Force – Board discussed the composition and number of member or this committee, recommendation is for a seven-member committee. Recommendation is for seven residents appointed and the Planning Director as well as the facilities directors for the town and the schools would serve as ex-officio members to support the municipal interests, not voting members. Dave motioned to approve seven members for the task force, approved unanimously. Paula motion to appoint Ernie Sund and Steve Marsden, Dave seconded voted unanimously. Steve motioned to approve Patrick Slattery, Dave seconded voted unanimously. Dave motion to appoint Lisa Krowitz, Paula seconded, voted unanimously. Tom A., motion to approve Steven DiCampo, Dave seconded, voted unanimously. Dave appoint Courtney Zivojinovic, Steve seconded, voted unanimously. Tom motion to nominate Dave Blatt, Paula seconded, voted unanimously. Board expressed appreciation for all the applicants coming forward and extends invitation to Ms. McQuaid to attend the meetings and see if there is a role that she could assist in.

Chair requests that board be notified on the composition of the task force's when they have been organized.

3. Historical Commission – Paula motion to appoint Pat Stattery to the Historical Commission, Steve seconded. Tom noted that in two prior cases Mr. Slattery did not speak up with regards to the demolition delay bylaw and questioned that he had been previously employed by a developer, concern as to conflict of interest. Dave aye, Steve aye and Paula aye, Tom no.

EXECUTIVE SESSION

None

Being no further business board voted unanimously to adjourn Regular Session at 10:15 P.M.

Respectfully submitted,
Laura Williams, Chief Administrative Assistant
Board of Selectmen